



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Jessica Winkler, Project Manager

Public Notice Date: May 16, 2005
Expiration Date: June 16, 2005
Reference: 200401462
Name: Port of Seattle

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, for certain work described below and shown on the enclosed drawings.

APPLICANT: Port of Seattle
Post Office Box 1209
Seattle, Washington 98111
ATTN: George Blomberg
Telephone: (206) 728-3194

LOCATION: At Terminal 103 in the lower Duwamish River in Seattle, Washington.

WORK: Dredge up to 1,350 cubic yards of sand, crushed rock and fractured quarry stone over a 0.28 acre area with a clamshell bucket to reach a bottom elevation of minus 14 feet Mean Lower Low Water (with up to one foot overdredge). Dredged material will be sorted and reused as construction materials.

PURPOSE: To maintain navigational access to the existing barge loading facility.

ADDITIONAL INFORMATION: The proposal does not include the placement of any dredged material in water. However, the Dredged Material Management Program has reviewed the proposed dredging activity and has issued a Memorandum for the Record requiring testing of the exposed surface following the removal of the spilled construction materials to verify that the new surface exposed after dredging meets the anti degradation policy for Washington State.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Coastal/Puget Sound bull trout (*Salvelinus confluentus*), threatened, Puget Sound Chinook (*Oncorhynchus tshawytscha*), threatened, and the bald eagle (*Haliaeetus leucocephalus*) threatened in the state of Washington, may occur in the proposed project area. For Chinook and bull trout critical habitat has been proposed. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the Chinook, bull trout and bald eagle.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect

Essential Fish Habitat (EFH). The proposed action would impact approximately 0.28 acres of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Known historic properties occur in the vicinity of the proposed project. However, they do not occur in the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program. This proposal is the subject of a Shorelines Substantial Development Permit being processed by the City of Seattle.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's

200401462

e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Jessica.G.Winkler@usace.army.mil. Conventional mail comments should be sent to the U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

Port of Seattle, 200401462

Encl
Drawings (3)

ELLIOTT BAY

TERMINAL 46

TERMINAL 37

TERMINAL 18

PIER 2

TERMINAL 5

TERMINAL 103

TERMINAL 107

TERMINAL 115

MARINER'S STADIUM

TERMINAL 30

SIG RAIL YARD

TERMINAL 25

TERMINAL 106

ARGO RAIL YARD

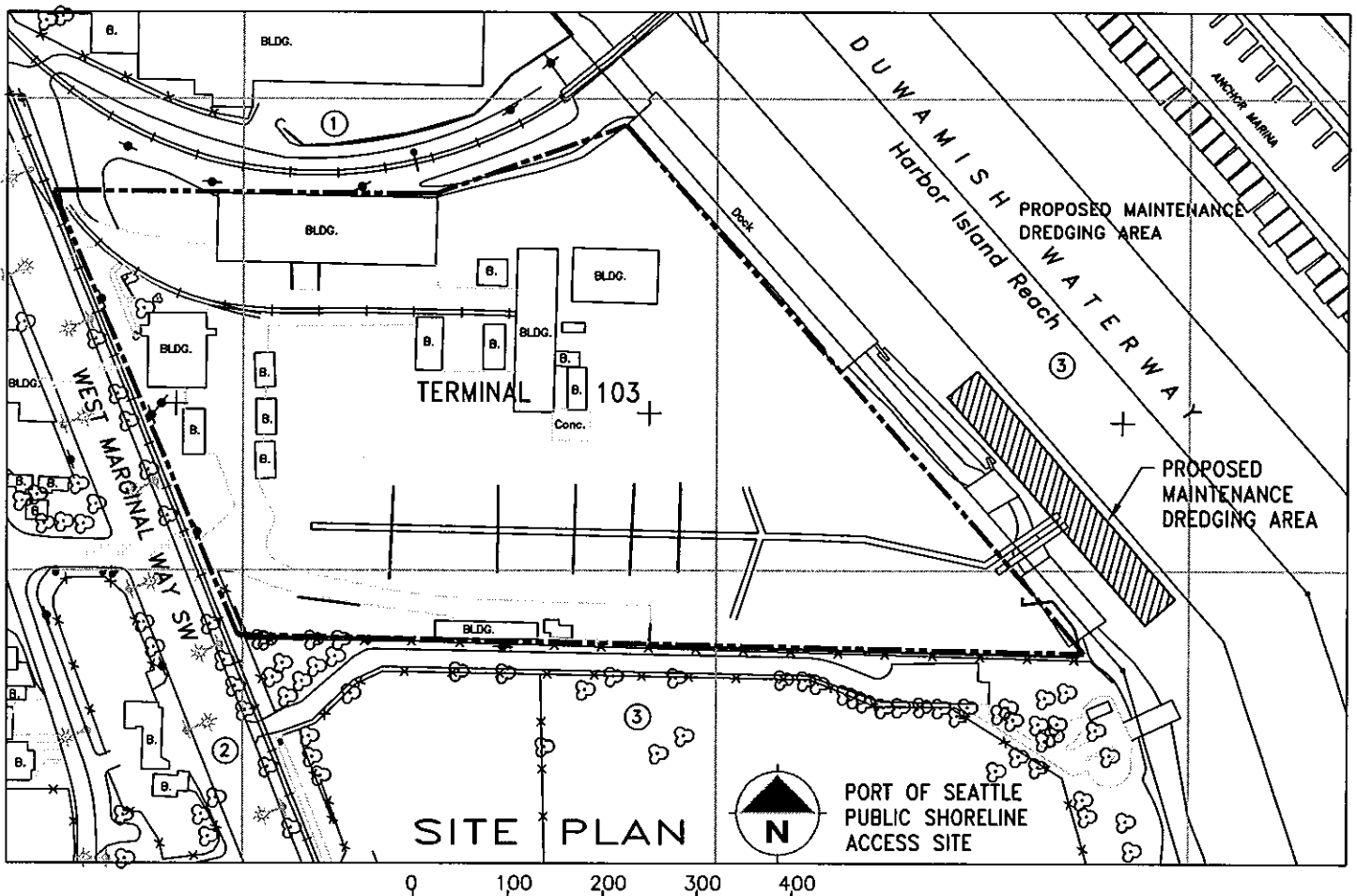
TERMINAL 108

INTERSTATE 5

SEA-TAC AIRPORT 10 MILES

SR-89

VICINITY PLAN



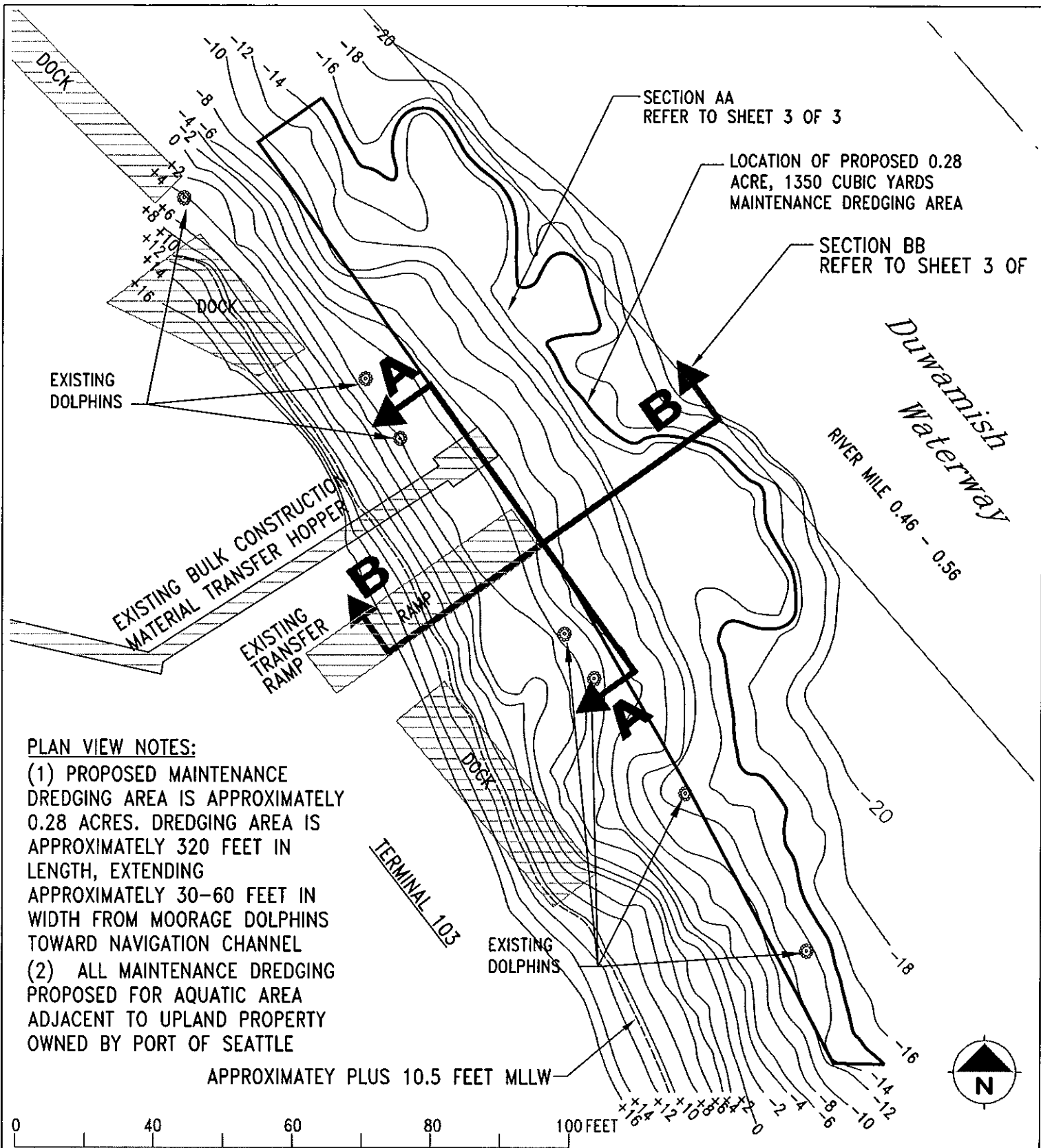
200401462

PROPOSED MAINTENANCE DREDGING
AT TERMINAL 103

IN: DUWAMISH WATERWAY
(RIVER MILE 0.5-0.6)

KING COUNTY, WASHINGTON

DATE: 1-05



PLAN VIEW NOTES:

- (1) PROPOSED MAINTENANCE DREDGING AREA IS APPROXIMATELY 0.28 ACRES. DREDGING AREA IS APPROXIMATELY 320 FEET IN LENGTH, EXTENDING APPROXIMATELY 30-60 FEET IN WIDTH FROM MOORAGE DOLPHINS TOWARD NAVIGATION CHANNEL
- (2) ALL MAINTENANCE DREDGING PROPOSED FOR AQUATIC AREA ADJACENT TO UPLAND PROPERTY OWNED BY PORT OF SEATTLE

APPROXIMATELY PLUS 10.5 FEET MLLW

APPROXIMATE SCALE

03/24/05 11:30

6943-PMT2.dwg

200401462

PURPOSE: NAVIGATIONAL ACCESS
DREDGING AT TERMINAL 103

DATUM: MLLW=0.0 FEET ELEVATION

ADJACENT PROPERTY OWNERS:

- (1) BURLINGTON NORTHERN
- (2) CITY OF SEATTLE
- (3) PORT OF SEATTLE

SCALE: APPROXIMATELY
1 INCH TO 40 FEET

TERMINAL 103, 3840 WEST MARGINAL
WAY SOUTHWEST, SEATTLE,
WASHINGTON 98106

PORT OF SEATTLE AND
GLACIER NORTHWEST

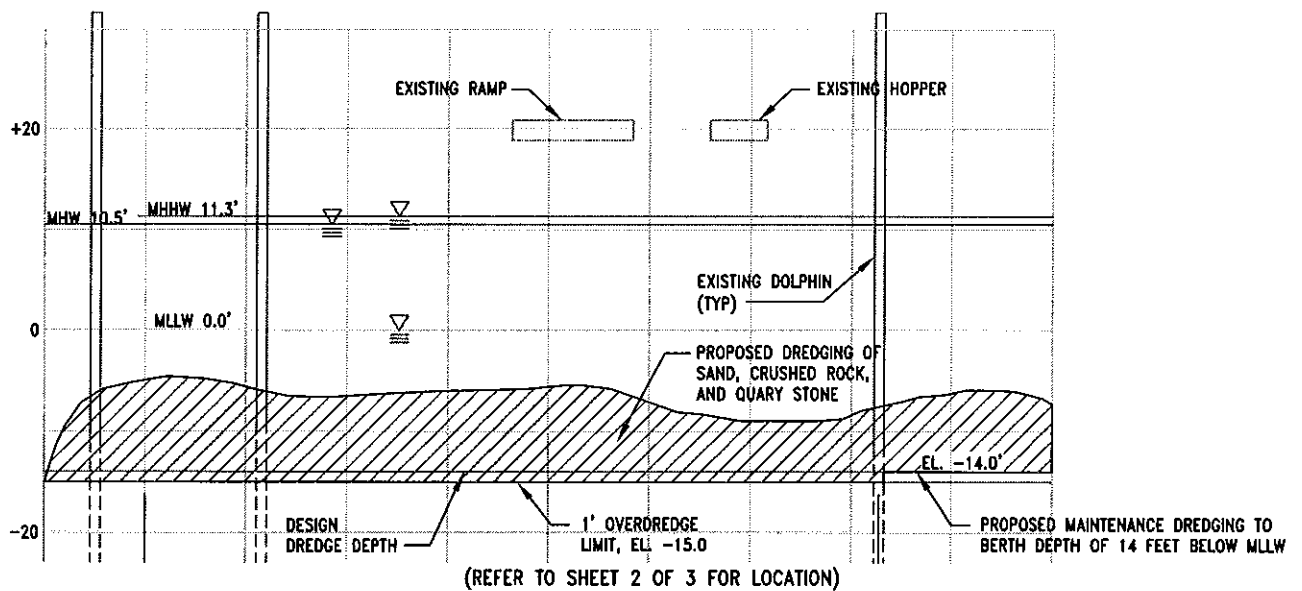
PROPOSED MAINTENANCE DREDGING
AT TERMINAL 103

IN: DUWAMISH WATERWAY
(RIVER MILE 0.5-0.6)

KING COUNTY, WASHINGTON

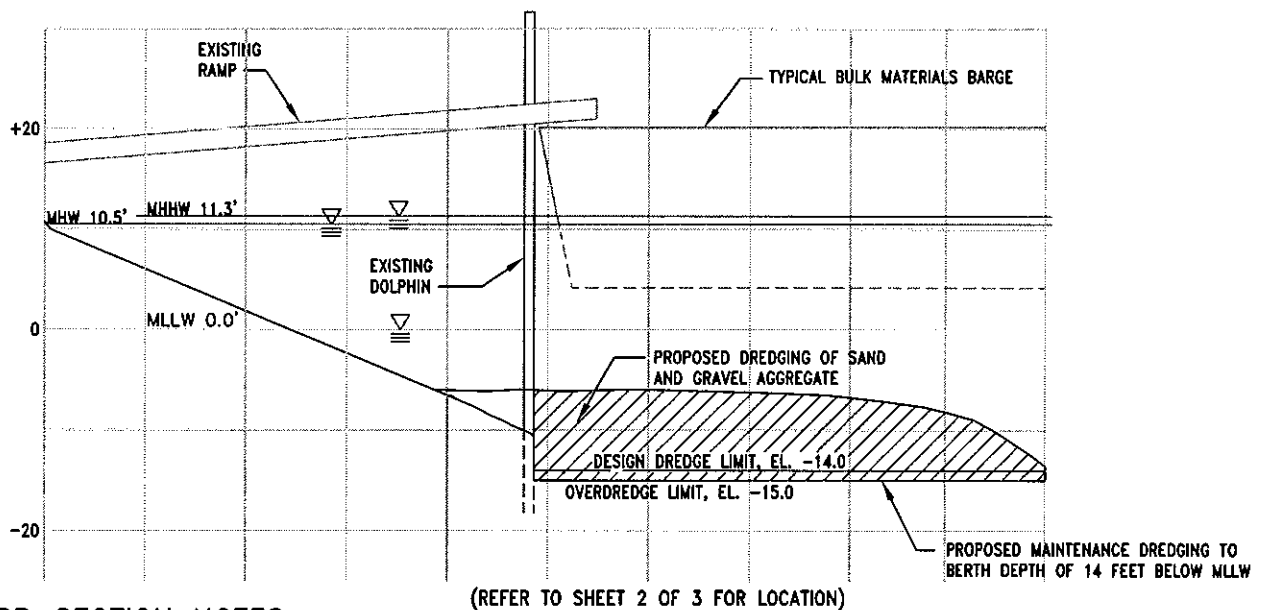
SHEET 2 OF 3

DATE: 1-05



AA-SECTION NOTES:

- (1) CLAMSHELL DREDGING EQUIPMENT, REMOVING UP TO 1350 CUBIC YARDS OF BULK CONSTRUCTION MATERIALS (SAND, CRUSHED ROCK, AND QUARY STONE)
- (2) CONSTRUCTION MATERIAL DREDGED FROM BARGE MOORAGE PLACED IN CONFINED UPLAND RECEIVING AREA FOR DE-WATERING AND RE-USE.



BB-SECTION NOTES:

- (1) DEPTH OF PROPOSED DREDGING - UP TO MINUS 14 FEET MLLW, WITH ONE FOOT OF OVER-DREDGE
- (2) NO DREDGING OF DUWAMISH WATERWAY SEDIMENTS IS PROPOSED

03/24/05 13:00 6943-PMT3.dwg

200401462

PURPOSE: NAVIGATIONAL ACCESS
DREDGING AT TERMINAL 103

DATUM: MLLW=0.0 FEET ELEVATION

ADJACENT PROPERTY OWNERS:

- (1) BURLINGTON NORTHERN
- (2) CITY OF SEATTLE
- (3) PORT OF SEATTLE

SCALE: APPROXIMATELY
ONE INCH TO 20 FEET

TERMINAL 103, 3840 WEST MARGINAL
WAY SOUTHWEST, SEATTLE,
WASHINGTON 98106

PORT OF SEATTLE AND
GLACIER NORTHWEST

PROPOSED MAINTENANCE DREDGING
AT TERMINAL 103

IN: DUWAMISH WATERWAY
(RIVER MILE 0.5-0.6)

KING COUNTY, WASHINGTON

SHEET 3 OF 3

DATE: 1-05



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

*P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006*

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: May 16, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200401462 will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that Program.

Any person desiring to present views on the project pertaining to the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600